

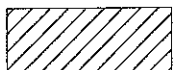
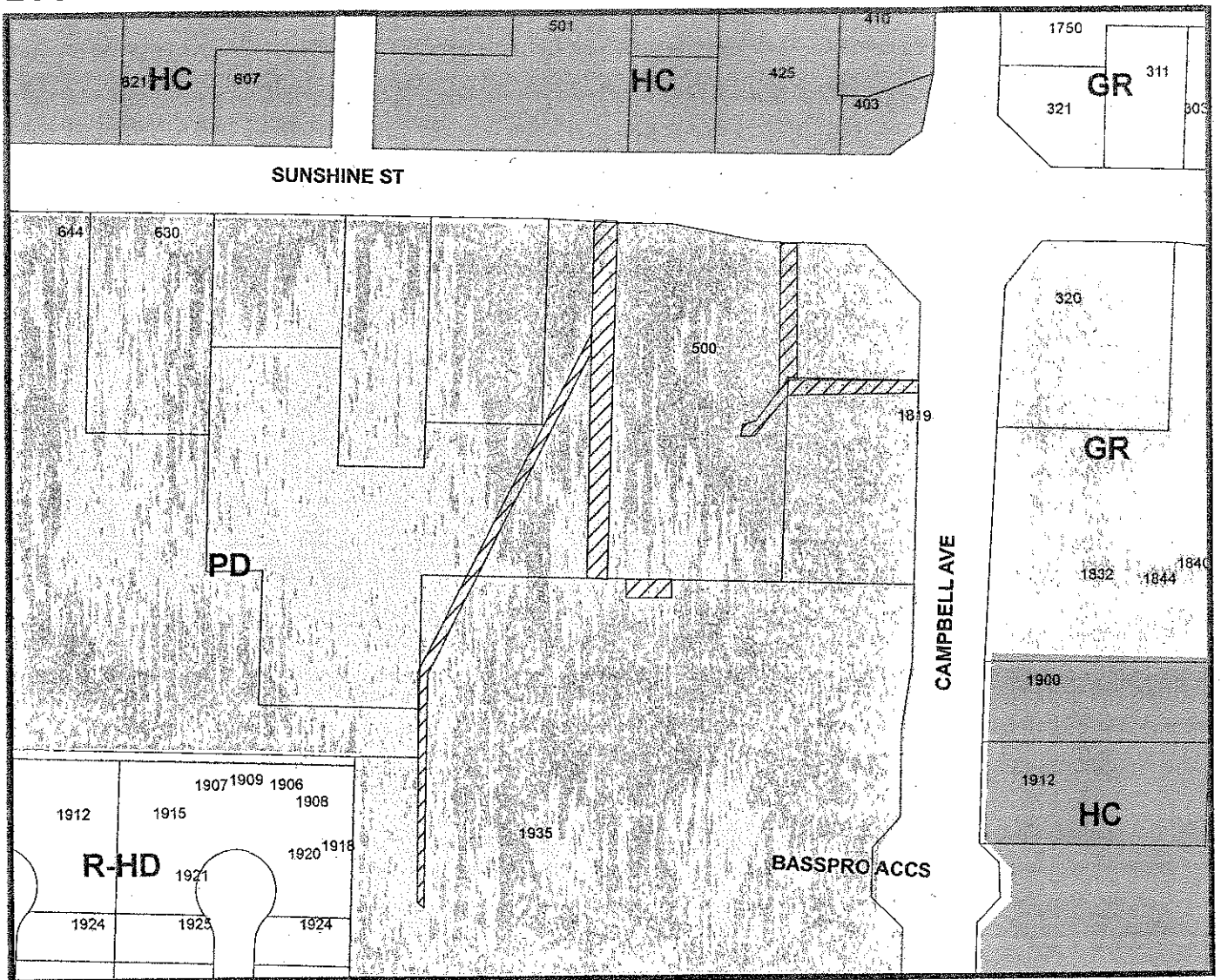
# Zoning & Subdivision Report

Planning & Development - 417/864-1611  
840 Boonville - Springfield, Missouri 65801

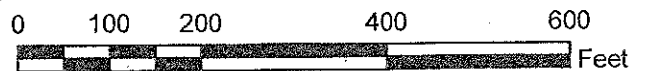
## Relinquish Easement 744

Location: 500 W. Sunshine Street

### LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

# Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611  
840 Boonville Avenue ~ Springfield, Missouri 65801

## **REQUEST TO RELINQUISH EASEMENT NUMBER 744**

**DATE:** November 24, 2009

**PURPOSE:** To relinquish utility and ingress-egress easements

### **BACKGROUND:**

**LOCATION:** 500 W. Sunshine Street

**APPLICANTS:** Bass Pro Outdoor World, LLC, American National Fish & Wildlife  
Museum District and Campus Rentals, LLC

### **RECOMMENDATION:**

The request be **approved**.

### **FINDING:**

The request meets the approval criteria listed in Attachment B.

### **STAFF CONTACT PERSON:**

Daniel Neal  
Senior Planner

Attachment A: Background report  
Attachment B: Approval criteria  
Exhibit 1: Legal descriptions  
Exhibit 2: Drawings

ATTACHMENT A  
RELINQUISH EASEMENT NO. 744  
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish an ingress-egress and utility easements to facilitate the redevelopment of the properties.

SANITARY SERVICES COMMENTS:

No objection to relinquishing the utility easement.

CITY UTILITIES

Regarding Easements A, B and C Electric as shown on page 1 of Attachment A-ELECTRIC: CU has no objection to the relinquishment. There are no facilities within the easements.

Regarding Easements A and B, Utility as described in "attachment A-UTILITY: These utilities have been relocated to the south as shown. The easement for the relocated utilities has not been located at this time. It is assumed there is a recorded easement. If there is not an existing easement, the owner's representative has indicated that the property owner will execute one.

Regarding Easement C, Utility as described in Attachment A-Utility: The relinquishment of a portion of this easement to accommodate the building expansion is acceptable. The domestic and fire services can be moved to the east if necessary, at the owner's expense.

Regarding Easement D, Utility as described in Attachment A-Utility: CU has no facilities at this location and has no objection.

STORM-WATER COMMENTS:

Relinquishment of these easements do not impact storm water.

TRAFFIC ENGINEERING COMMENTS:

Traffic Engineering has no objections to the relinquishment of the access easement.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
2. The existing utility and ingress-egress easements are not being used and were dedicated and/or platted prior to the reconfiguration of the properties as currently used.
3. No one has objected to this request.

ATTACHMENT B  
RELINQUISH EASEMENT NO. 744  
APPROVAL CRITERIA

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings:

1. No one has objected to the relinquishment of these easements.

STAFF RESPONSE:

No one has objected to the relinquishment of these easements.

2. The appropriate City agency has filed with the Planning and Development Department a statement that the easement is no longer needed to provide utility service.

STAFF RESPONSE:

The utility and ingress-egress easements are no longer needed to provide service to the site.

3. That the retention of the easement no longer serves any useful public purpose.

STAFF RESPONSE:

The retention of the subject easements no longer serve a public purpose.

RELINQUISH EASEMENT NO. 744  
EXHIBIT 1

DESCRIPTION OF EASEMENTS TO BE RELINQUISHED:

**DESCRIPTION: Easement for Relinquishment – “In/Eg”**

Ingress/Egress easement as shown in the Greene County Recorder's Office on Plat Book HH, Page 15 being a part of the Northeast Quarter of the Northeast Quarter of Section 35, Township 29 North, Range 22 West, all in the City of Springfield, Greene County, Missouri, and being more particularly described as follows:

**a. (Plat Book HH, Page 15):**

The East 25 feet of Lot 3, Morris Plaza 1<sup>st</sup> Addition, as recorded on Plat Book HH, Page 15 in the Greene County Recorder's Office,

**DESCRIPTION: Easements for Relinquishment – “Elec”**

Electric easements recorded in the Greene County Recorder's Office in Book 1528 at Pages 1921, 1923, and 1924 being a part of the Northeast Quarter of the Northeast Quarter of Section 35, Township 29 North, Range 22 West, all in the City of Springfield, Greene County, Missouri, and being more particularly described as follows:

**a. (Book 1528, Page 1921):**

The west 6 feet of a 1-acre tract in the form of a square in the northeast corner of the northeast quarter (NE ¼) of the northeast quarter (NE ¼) of Section 35, Township 29, Range 22 except that part used for public streets, in Greene County, Missouri;

**b. (Book 1528, Page 1923):**

Beginning at a point on the west line of Campbell Street (as existed at the time of recording in 1970), 208.71 feet south of the north line of Section 35, Township 29, Range 22;  
Thence west 186.02 feet for a new point of beginning;

COMMENCING at the new point of beginning,

Thence south 25 feet,  
thence east 6 feet,  
thence north 25 feet,  
thence west 6 feet to the new point of beginning;

**c. (Book 1528, Page 1924):**

Beginning at a point on the south right-of-way line of Sunshine Street (as existed at the time of recording in 1970), and 208.71 feet west of the east line of Section 35, Township 29, Range 22;  
Thence south 200 feet;  
Thence west 6 feet  
Thence north 200 feet;  
Thence east 6 feet to point of beginning;

**DESCRIPTION: Easements for Relinquishment – “Util”**

Permanent utility easements recorded in the Greene County Recorder's Office in Book 2769 at Pages 2143 and 2192, Book 1506, Page 851 and Plat Book HH, Page 15 being a part of the Northeast Quarter of the Northeast Quarter of Section 35, Township 29 North, Range 22 West, all in the City of Springfield, Greene County, Missouri, and being more particularly described as follows:

**a. (Book 2769, Page 2143):**

A permanent utility easement being part of the Grantor's tract of land described in the Greene County, Missouri, Recorder's Office in Book 2708, Pages 1185 thru 1188 said easement being more particularly described as follows:

Commencing at the southwest corner of Jerry J. Potter and Sarasue Potter deed tract in Book 2134, Page 1682;

Thence along the west line of said deed tract North 01°59'37" East, 232.65 feet to the point of beginning;

Thence leaving said west line South 43°00'00" West, 59.42 feet;

Thence North 47°00'00" West, 23.50 feet;

Thence North 43°00'00" East, 10.00 feet;

Thence South 47°00'00" East, 8.50 feet;

Thence North 43°00'00" East, 66.67 feet to a point lying on the west line of aforementioned Potter deed tract;

Thence along said west line South 01°59'37" West, 22.86 feet to the point of beginning, all lying in the Northeast Quarter of the Northeast Quarter of Section 35, Township 29 North, Range 22 West, Springfield, Greene County, Missouri. Containing 1106 square feet, or 0.025 acres and 79 linear feet more or less. Bearings are based on grid north of Missouri Coordinate System 1983, Central Zone.

**b. (Book 2769, Page 2192):**

A permanent 15.00 foot wide utility easement being part of the Grantor's tract of land described in the Greene County, Missouri, Recorder's Office in Book 2134, Page 1682 said easement being more particularly described as follows:

Commencing at the southwest corner of said Jerry J. Potter and Sarasue Potter deed tract in Book 2134, Page 1682;

Thence along the west line of said deed tract North 01°59'37" East, 232.65 feet to the point of beginning;

Thence continuing along said west line North 01°59'37" East, 22.86 feet;

Thence leaving said west line North 43°00'00" West, 18.08 feet to a point lying on the north line of said deed tract;

Thence along said north line South 88°21'59" East, 139.10 feet to a point lying on the west line of a recorded utility easement in Book 2532 on Page 1282, being part of the Grantor's land;

Thence along said easement South 02°03'47" West, 15.00 feet;

Thence leaving said easement line North 88°21'59" West, 132.21 feet;

Thence South 43°00'00" West, 28.55 feet to the point of beginning, all lying in the Northeast Quarter of the Northeast Quarter of Section 35, Township 29 North, Range 22 West, Springfield, Greene County, Missouri. Containing 2385 square feet, or 0.054 acres and 159 linear feet more or less. Bearings are based on grid north of Missouri Coordinate System 1983, Central Zone.

**C. (West 50-feet of Book 1506, Page 851):**

The West 50-feet of a permanent utility easement described in the Greene County, Missouri, Recorder's Office in Book 1506, Page 851 said easement being more particularly described as follows:

Beginning at a point 853.34 feet north and 37.58 feet west of the southeast corner of the Northeast Quarter (NE  $\frac{1}{4}$ ) of the Northeast Quarter (NE  $\frac{1}{4}$ ) of Section 35, Township 29, Range 22,

Thence west 396.8 feet;

Thence south 20 feet;

Thence east to the west right-of-way line of south Campbell, as now exists,

Thence north to the point of beginning.

**d. (Plat Book HH, Page 15):**

The 10-foot utility easement through Lots 1 and 3 as shown on the final plat of Morris Plaza 1<sup>st</sup> Addition, as recorded in Plat Book HH, Page 15 in the Greene County, Missouri Recorder's Office.

# EASEMENT RELINQUISHMENTS for EXISTING PROPERTY LINES & PROPOSED BUILDINGS WONDERS OF WILDLIFE - Renovation & Expansion

BASS PRO SHOPS CAMPUS (PD#194 2nd AMENDED)  
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI



## Legend For Easements To Relinquish

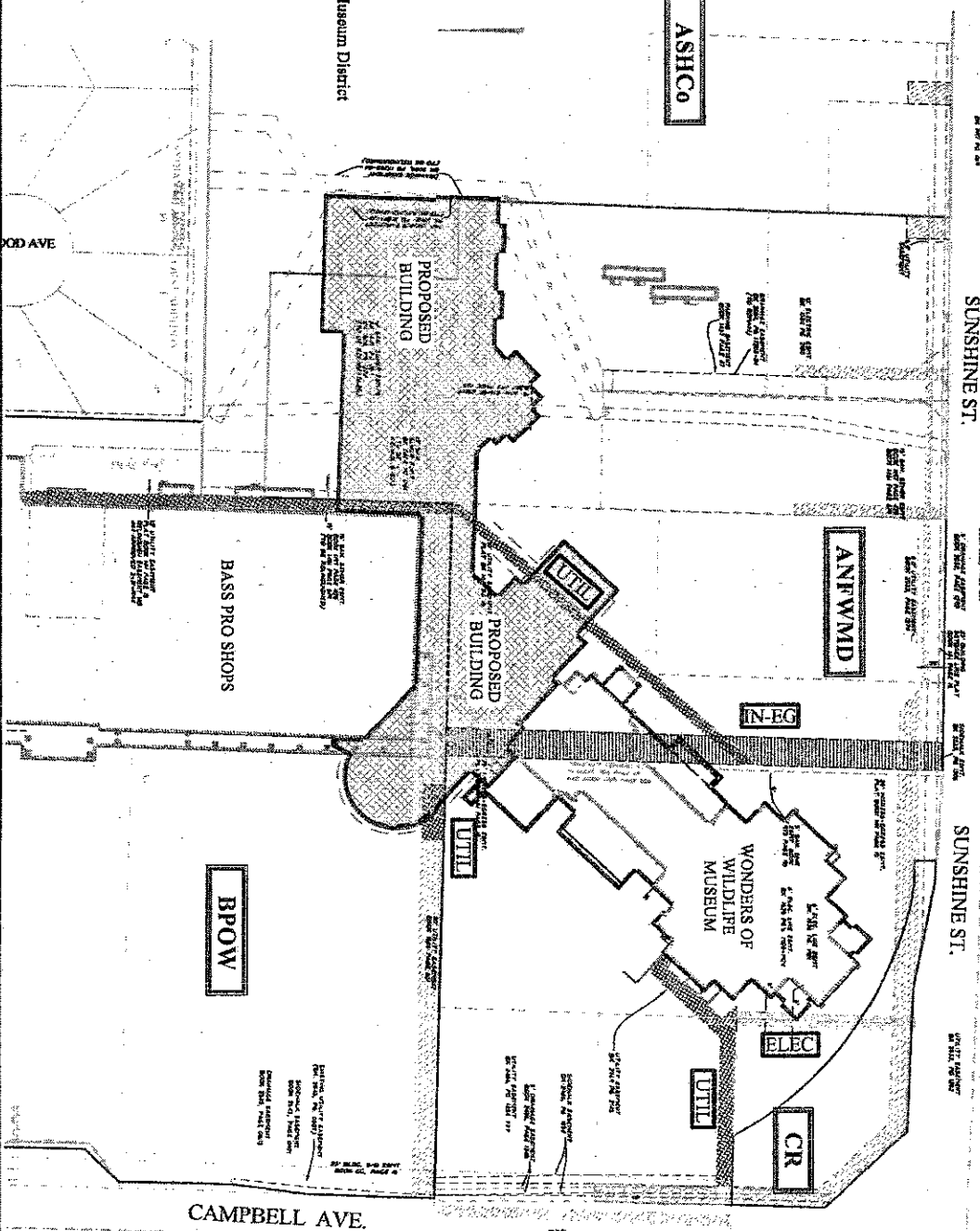
- = ELECTRIC = **ELEC**
- = UTILITY = **UTIL**
- = INGRESS/EGRESS = **IN-EG**

## Property Owners:

- ASHCo**  
= American Sportsmans Holding Co.
- ANFWMD**  
= American National Fish & Wildlife Museum District
- BPOW**  
= Bass Pro Outdoor World, LLC
- CR**  
= Campus Rentals, LLC

PROJECT NO.: HE192073pg2v  
DATE: 10/22/09

**HEI**  
Heithaus Engineering & Assoc., Inc.  
311 W. Battlefield Rd.  
Springfield, MO 65807  
417.884.2238  
FAX 417.887.1980  
http://www.hei-inc.com  
1102@he-inc.com





SUNSHINE ST.

